IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 7088 of 2005

Between:

S.Venkataramanaiah, s/o Sri Pullaiah,
r/o Brahmanapalli, Komarole Mandal,
Prakasam District.

..... PETITIONER

AND

1 The Collector & Dist.Magistrate, Prakasam District, Ongole.
2 Revenue Divisional Officer, Markapuram, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction more particularly in the nature of writ of mandamus declaring the orders bearing D.Dis.(CS2) 1099/2004 dt.1-9-2004 of the 1st respondent herein as arbitrary, illegal, contrary to law, cryptic nature and gross violation of principles of natural justice and Fair play apart from violation of exercise of Revisional Jurisdiction under the Essential Commodities Act and consequently set aside the same by directing the 1st respondent herein to pass appropriate orders after hearing the petitioner and pass such other orders as may be deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.SAI GANGADHAR CHAMARTY

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

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ORAL ORDER:.

Heard both sides and at their request, this Writ Petition is taken up for disposal at the stage of admission.

This Writ Petition is filed for issuance of writ particularly in the nature of Writ of Mandamus, declaring the orders being D Dis (CS2) 1099/2004 dated 1.9.2004 of the first respondent herein, as arbitrary, illegal and consequently set aside the same by directing the first respondent herein, to pass appropriate orders after hearing the petitioner.

Against the orders of cancellation of dealership of the petitioner, the petitioner filed an appeal before the appellate authority-Joint collector, Ongole and also a revision before the District Collector, Prakasam District, Ongole. Both the authorities having considered the matter in detail, confirmed the orders passed by the Revenue Divisional Officer, Markapuram, Prakasam District-second respondent herein.

When the respondents have considered the matter in detail and arrived at a conclusion by canceling the dealership of the petitioner, this court sitting under Article 226 of the Constitution of India, cannot reappraise the whole thing and arrive at a different conclusion than the one arrived at by the respondents.

Accordingly, the Writ Petition is dismissed. No costs.

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D.S.R. VARMA, J

DATED: 01.04.2005

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To

1 The Collector & Dist.Magistrate, Prakasam District, Ongole.
2 Revenue Divisional Officer, Markapuram, Prakasam District.

3. Two CCs to G.P. for Civil Supplies, High Court of A.P, Hyderabad (OUT)

4. 2 CD copies

5. 1 CC to MR.SAI GANGADHAR CHAMARTY